

NO. 26400

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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DALE EVANS; CHARLEY'S TAXI RADIO DISPATCH  
CORP., dba CHARLEY'S TAXI, Petitioners

vs.

CIRCUIT COURT OF THE FIRST CIRCUIT, Respondent

and

SIGNATURE CAB HOLDINGS, INC., a Hawai'i corporation,  
Real Party in Interest

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ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the petition for a writ of mandamus filed by Petitioners Dale Evans, and Charley's Taxi Radio Dispatch Corporation, dba Charley's Taxi, the papers in support, and the records and files herein, it appears that Petitioners fail to demonstrate that they are entitled to a writ of mandamus. Therefore,

IT IS HEREBY ORDERED the petition for a writ of mandamus is denied without prejudice to Petitioners seeking further relief in the pending circuit court case and without prejudice to any remedy Petitioners may have by way of appeal.

DATED: Honolulu, Hawai'i, March 18, 2004.

Earle A. Partington  
and Karen A. Essene  
for petitioners on  
the writ